

REMARKS

The present application was filed on March 7, 2000, with claims 1-19. Claims 1-19 are currently pending in the application.

Applicants respectfully request reconsideration of the present application in view of the following remarks.

Claims 1-19 stand rejected under 35 U.S.C. §102(a) as being anticipated by M. Mortensen, "Operations Architecture for Data-Centric Converged Telecommunications Networks: Lucent Technologies' Open Operations CORBA Architecture," Lucent Network and Services Management White Paper, pp. 1-10, 1999 (hereinafter "the Mortensen reference").

Applicants initially note that the Manual of Patent Examining Procedure (MPEP), Eight Edition, August 2001, §2131, specifies that a given claim is anticipated "only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, MPEP §2131 indicates that the cited reference must show the "identical invention . . . in as complete detail as is contained in the . . . claim," citing Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). For the reasons identified below, Applicants submit that the Examiner has failed to establish anticipation of at least independent claims 1, 18 and 19 by the Mortensen reference.

Independent claim 1 as originally filed is directed to a network management system comprising an inter-domain configuration manager arranged between a set of one or more network service management applications and a plurality of network element domain managers, each of the domain managers being associated with a particular architectural or technological domain of a multi-layer network, the configuration manager implementing network service design and provisioning functions across a plurality of the domains of the network in conjunction with stored connectivity information characterizing the multi-layer network.

The Examiner argues that Mortensen reference, at page 6, second paragraph, and in the figures on page 8, discloses each and every limitation of claim 1. Applicants respectfully disagree. It is noted that the cited portions of the Mortensen reference do not make any explicit reference to A,
* "network service management applications" or "domain managers," nor does Mortensen disclose

that an inter-domain configuration manager is “arranged between” network service management applications and domain managers as recited in the claim. Since claim 1 includes limitations that are not met by the relied-upon portions of Mortensen, it is believed that the Examiner has failed to establish anticipation of claim 1 in the manner required by the above-noted standard set forth in MPEP §2131.

Dependent claims 2-17 are believed allowable for at least the reasons identified above with regard to independent claim 1.

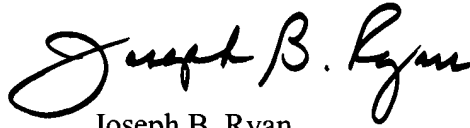
Independent claims 18 and 19 include limitations similar to those of claim 1, and are believed allowable for substantially the same reasons identified above with regard to claim 1.

Notwithstanding the foregoing traversal, Applicants have amended independent claims 1, 18 and 19. More specifically, each of these claims has been amended to specify that the inter-domain configuration manager further comprises an inter-domain tree manager, with the inter-domain tree manager comprising a logical tree manager. The logical tree manager is operative to manage a transport service and facility hierarchy associated with the multi-layer network, and to maintain corresponding parent-child relationships in one or more tree structures that reference the domains containing real-time network details associated with the transport service and facility hierarchy. The Examiner argues in the context of dependent claim 10 that similar limitations are present in the teachings in Mortensen at page 6 and page 7, lines 9-19. However, Applicants are unable to find in the relied-upon portions, or elsewhere in Mortensen, any reference to an inter-domain tree manager which includes a logical tree manager configured as claimed.

Since the limitations of the amended claims as originally filed were not met by the Mortensen reference, the amendments herein are not made for reasons relating to patentability over Mortensen and the other art of record. Instead, the amendments are made solely for purposes of expediting the prosecution of the application.

Accordingly, it is believed that claims 1-19 as amended are in condition for allowance, and such favorable action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, reading "Joseph B. Ryan". The signature is written in a cursive style with a large, stylized "J" and "R".

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